IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE JURISDICTION
CRIMINAL APPLCIATION NO.3592 OF 2007

Dr. Vyankat S/o Govind Mekale ..Applicant
V/s
The State of Maharashtra ..Respondent.

Mr.N.S. Ghanekar for the applicant
Mr. D.P. Adsule, APP for the respondent

CORAM : A.A. SAYED, J.
DATE : 14TH NOVEMBER, 2007
(VACATION COURT)

P.C.

1. Heard learned Counsel for the applicant and learned APP for the State. The learned Counsel for the applicant submits that applicant is in Magisterial custody since approximately one month. This position is not disputed by the learned APP.

2. By the impugned order the learned Special Judge, Kolhapur has rejected the bail application of the applicant mainly on the ground that the sanction order to launch prosecution against the applicant, who is a Government employee, is yet to be obtained and the investigating agency may find it difficult to obtain the sanction order if the benefit of bail is allowed to the applicant. In my view this may not be

the correct approach of the learned Judge as the possibility of obtaining sanction order taking months cannot be ruled out and this cannot be the reason to keep the applicant in custody till then

3. Considering the facts and circumstances of the case and the nature of the offences under the Prevention of Corruption Act, 1988, I think it expedient to grant bail to the applicant.

4. Hence I pass the following order:-

I. The applicant be released on bail on his executing P.R. bond for a sum of Rs. 50,000/- with one surety in the like amount.

II. The applicant shall make himself available as and when the Investigating Agency calls upon him and he shall cooperate with the Investigating Agency.

III. The applicant shall not leave the jurisdiction of Kolhapur District without leave of the Court.

IV. The applicant shall also attend the ACB,

Kolhapur once in a week every Sunday between 4 p.m. to 6 p.m., till the filing of the charge-sheet or for a period of two months whichever is earlier.

V. The bail is granted subject to the condition that the applicant shall not make any effort to influence or pressurise the prosecution witnesses and shall not tamper with the prosecution evidence.

5. Application is disposed of.

. The concerned parties to act on an ordinary copy of this order duly authenticated by Sheristedar/P.A. of this Court.

(A.A. SAYED, J.)